IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. 15-00043-01-CR-W-BP
	)	March 17, 2017
V.	)	Kansas City, Missouri
	)	CRIMINAL
ROBERT C. CALDWELL,	)	
	)	
Defendant.	)	
	)	

TRANSCRIPT OF RESENTENCING

BEFORE THE HONORABLE BETH PHILLIPS
UNITED STATES DISTRICT JUDGE

Proceedings recorded by electronic stenography
Transcript produced by computer

APPEARANCES

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I N D E X

GOVERNMENT'S EXHIBITS	OFFERED	ADMITTED
7 - certified copy of Greene County conviction	7	8

MARCH 17, 2017

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THE COURT: Good morning. We're here in the case of United States of America versus Robert Caldwell, Case No. 15-43. Could counsel please enter their appearance?

MR. KETCHMARK: Your Honor, David Ketchmark on behalf of the United States.

THE COURT: Thank you.

MR. KUCHAR: Your Honor, Robert Caldwell appears in person and with his attorney, Bob Kuchar. Good morning, Judge.

THE COURT: Thank you. Mr. Caldwell, what we're going to do today is have somewhat of an abbreviated version of the original sentencing that we had in this case. I will have a conversation with the attorneys regarding how to calculate the sentencing guidelines in light of some recent both, I guess, United States Supreme Court and Eighth Circuit opinions. I then will hear argument from the attorneys regarding what sentence they believe I should impose. And then, once again, as I did last time, I will ask that you come to the podium, and I'll give you an opportunity to make a statement, if you wish, before I actually decide the sentence.

I know I asked you this before, but out of an abundance of caution, let me ask you again. You've read the presentence report in this case?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And you discussed it with your attorney?

THE DEFENDANT: Yes.

THE COURT: And have you also discussed with your attorney the reason that we're here today and the objections that he's lodged to the presentence report, in light of the Supreme Court opinion?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Other than the objections that your attorney has lodged, is there anything else in the report that you think is wrong?

THE DEFENDANT: No, ma'am.

THE COURT: Anything that needs to be changed?

THE DEFENDANT: No, ma'am.

THE COURT: Okay. Then let's take up differing opinions as to what guideline I should use.

Mr. Kuchar, it seems to me that the statute cited by the government, 18 U.S.C. 3742(f) and (g), do require that I apply the guidelines that were in effect at the time of the original sentencing. What is your position on that issue?

MR. KUCHAR: Judge, I do agree that that's what the statute does call for, that you apply the guidelines at the time of the original sentencing.

THE COURT: Okay. And given the fact that the residual clause was in effect at the time of the guidelines, then do you agree that the guidelines were properly calculated

at the time of the original sentencing?

MR. KUCHAR: Well, we agreed with the third addendum to the presentence investigation. We filed a sentencing memorandum and an objection to the government's objection to that memorandum. So we do think the guidelines should be 325 to 405 months.

THE COURT: With a Criminal History Category of VI?

MR. KUCHAR: With a Criminal History Category of V.

THE COURT: So even though the guidelines in effect at the time of the original sentencing provided for a robbery in the second degree to be a crime of violence under the residual clause, you don't think I should apply that at this sentencing?

MR. KUCHAR: Just for the record, Judge, we did file again an objection to the memorandum, arguing that robbery in the second degree should not apply under the residual clause also.

THE COURT: Okay.

MR. KUCHAR: I don't have anything to add to that. I think to the extent that we were able to, we thoroughly stated our position. And I called that Defendant's Second Sentencing Memorandum, and that was filed on March 9th --

THE COURT: Right.

MR. KUCHAR: -- of 2017.

THE COURT: Okay. And I do have that. I just

wanted to make sure that I understood your position on this issue.

Mr. Ketchmark, do you have any record you'd like to make at this point?

MR. KETCHMARK: No, Your Honor. I think we set forth in our response to the objections, in light of the *Beckles* opinion, and we also addressed in the supplemental sentencing memorandum that we filed that's in response, I think, to the objections of Mr. Kuchar, and we would simply stand on the arguments as presented in those two documents.

MR. KUCHAR: If I might, just to --

THE COURT: Of course.

MR. KUCHAR: -- make my record here. When you're considering our position, just for the record, I'd like to incorporate the arguments advanced both in the original objections to the PSI, my first sentencing memorandum filed on June 24th of 2016 entitled Defendant's Sentencing Memorandum, and then the document that I just made reference to, which is entitled Defendant's Second Sentencing Memorandum dated March 9, 2017. So essentially there are three different versions of our approach. I think I'd like to incorporate all of those just for the record.

THE COURT: Sure. Well, taking up your, what's been titled as the second sentencing memorandum, your first argument is that the government cannot prove that Mr. Caldwell's prior

conviction was a crime of violence as a matter of law because it failed to offer any evidence of this conviction at the original sentencing hearing.

First of all, I agree with the government's argument that I don't see any limitation on the government offering any evidence on this issue, but I continue to think that it is not necessary. I think that what Mr. Caldwell was convicted of is not in dispute and, therefore, any evidence of the conviction is not necessary.

With that, does the government wish to submit any evidence on this issue?

MR. KETCHMARK: Your Honor, we do have marked, and we had marked at the first sentencing hearing, Government's Exhibit No. 7, and that is a attested-to and certified copy of those Greene County convictions. I guess to supplement the record, just to be clear, I agree with the Court's assessment that it's not necessary under the categorical approach, but I would offer that certified copy because it's clear that those documents, the Shepard documents, although not necessary, clearly would qualify this is a crime of violence.

THE COURT: I assume you object to these.

MR. KUCHAR: I do. If I could just object. Again, in the memorandum, we did talk about the cases that talk about the one opportunity the government has to present evidence. So I'm not going to kind of repeat that too much, but I want to

make sure that we have a continuing objection.

THE COURT: Sure. No, you do have a continuing objection to that. Again, I don't believe that these are necessary, but in the event that this issue comes up in front of the Eighth Circuit, Government's Exhibit 7 will be admitted.

(Government's Exhibit 7 was admitted into evidence.)

THE COURT: The next argument is that the *Beckles* decision does not apply to this case, again, dealing with the analysis of whether or not robbery in the second degree is considered a crime of violence. Mr. Kuchar, do you have any additional argument that you wish to make on this issue?

MR. KUCHAR: No. Again, the record should reflect that the second sentencing memorandum has about a five or six-page discussion on that issue. I don't have anything else to add.

THE COURT: Okay. Any record you wish to make?

MR. KETCHMARK: No, Your Honor.

THE COURT: Okay. So for the reasons I previously stated, that objection will be overruled, and I do find that under the guidelines that were in effect at the time of the original sentencing, that robbery in the second degree is considered a violent felony and, therefore, the four points that were given in Paragraph 40 were appropriate.

Mr. Kuchar, any additional record that -- objection or record that you want to make on this issue?

MR. KUCHAR: No, Your Honor.

THE COURT: Does the government have any objection?

MR. KETCHMARK: No, Your Honor. Just so I'm clear and the record is clear, the Court referenced the residual clause when it was talking about its analysis. Is the Court making a finding that it's under the residual clause as the basis that those would qualify as a crime of violence? Or is it the force clause, or is it either or both?

THE COURT: I think it's both. Under the guidelines that were in effect at the time of the original sentencing, the 2015 guidelines, it most certainly would be a crime of violence under the residual clause, and I believe it was also an enumerated offense under the force clause. Is that correct, Mr. Ketchmark?

MR. KETCHMARK: I don't believe it was an enumerated offense under the force clause, Your Honor. The guidelines would have read that the crime of violence means any offense under federal or state law punishable by imprisonment for a term exceeding one year, under (1) that that has as an element the use, attempted use or --

COURT REPORTER: Could you please slow down?

MR. KETCHMARK: Yes, I'm sorry.

COURT REPORTER: And start over?

MR. KETCHMARK: The guidelines in effect would have read under (a), (quoted as read) "The term crime of violence

means any offense under federal or state law, punishable by imprisonment for a term exceeding one year, that (1) has the element the use, attempted use, or threatened use of physical force against the person of another, or, second, is a burglary of a dwelling, arson, or extortion, involves the use of explosives, or otherwise involves conduct that presents a serious potential risk of physical injury to another." The residual clause. And then the Commentary Notes, Application 1, does specifically list an enumerated felony as being robbery.

So the government believes it could apply under both, but just for purposes of the appellate record, Your Honor, I wanted to make clear what the Court's rationale was. And if the Court wishes, here is a copy of the guidelines that --

THE COURT: I have -- I brought the 2015 book out with me. I think under the dicta in *Bell*, 840 F.3d 963, it would be considered a crime of violence because robbery is expressly enumerated as a crime of violence in the commentary to the guidelines' career offender provisions. Again, *Bell* was talking about a guideline that was not in effect at the time of Bell's sentencing.

Mr. Kuchar, is there any -- you kind of have a look on your face that maybe you want to weigh in on this issue.

MR. KUCHAR: If I might, Judge, we would just state on behalf of Mr. Caldwell that we believe that robbery in the

second degree is not an enumerated offense, though, under -- you know, sometimes they refer to 18 United States Code 924(e), say the analysis is the same between that and the guidelines. Of course, robbery is not an enumerated offense under that statute. It's also our position that it's not an enumerated offense under the specific guideline provision that Mr. Ketchmark just read to you. It's burglary, extortion, and arson.

You know, in adopting the commentary, I would, of course, note that there's a distinction between the text of the guidelines, which is more able to be relied upon than there is the commentary. I would also comment that we're talking here about robbery in the second degree, and in my arguments I do make a distinction between a generic robbery and robbery in the second degree. I don't think I need to repeat our position on that, but I would just kind of mention that because you asked about enumerated offenses, and we do believe that robbery in the second degree is not a generic offense. In other words, robbery in the second degree is not enumerated, even in the commentary to the guideline section attempting to define crimes of violence.

Finally, Judge, we would note that *Bell* and pre-*Beckles* would stand for the proposition that robbery in the second degree is not a crime of violence under the force clause. I don't think -- my client's position is that hasn't

changed any. The government conceded that when this appeal was pending, and that position has not changed. So we would make the argument, anyway, that consistently throughout *Bell* forward, that, either way, robbery in the second degree is not a crime of violence under the force clause. We don't think that robbery in the second degree rises to the level of a crime of violence in the residual clause either because we're taking a position that it's different from generic robbery, which would be robbery in the first degree in Missouri. So that's what I wanted to clarify.

THE COURT: Okay. Thank you. Mr. Ketchmark?

MR. KETCHMARK: The only thing I would supplement, Your Honor, would be -- obviously, we refer the Court to our pleadings. But I think it's clear under *Beckles* that there's no question that the commentary is good. And as the Court in *Bell* even acknowledged that the First Circuit in the *Soto-Rivera* case talked about it can serve as a hook to basically bring in -- the residual clause can serve as a hook to bring the commentary in, so I don't think there's any dispute in light of *Beckles* and the validity from a constitutional basis of the residual clause that robbery in the second degree is enumerated in the commentary. It's clearly a crime of violence under that provision. I think there's an argument to be made that it could qualify under the force clause, but I think it's redundant because there's no question

it is in under the residual clause. And that's the only thing I wanted to make clear from the record. If the Court was in agreement with the position as to that, no question as to the residual, and it's also arguably applicable under the force clause, as well.

THE COURT: Yeah, I -- I understand your need to make a record here, and I have no problem with your need to make a record. I'm not real sure how important this really is.

In the event that I'm wrong and this does carry some weight, I do believe that, when looking at *Beckles* and *Bell* and the commentary in 4B1.2 that was in effect at the time of the original sentencing, that the robbery in the second degree is a crime of violence, not only under the force clause -- not only under the residual clause, but also under the force clause.

Is there any other objection or issues that I need to take up with respect to the calculation of the guidelines?

MR. KUCHAR: No, Your Honor.

MR. KETCHMARK: And the only thing I would say, Your Honor, and Mr. Kuchar referred to it, I assume the Court is taking judicial notice of all of the prior objections, all of the prior testimony, and all of the prior rulings on those objections. And so, obviously, in light of that assumption, there's nothing further from the government.

THE COURT: Okay. Yes, I have reviewed the docket in this case. I've read most of the, if not all of the,

previous filings, and those are being considered, and any objections in those are being preserved.

I, therefore, find, then, that the guidelines are calculated in the same way they originally were, which is a total offense level of 37, a Criminal History Category of VI, and a guideline range of 360 to life, plus 84 consecutive on Count Four.

With that, Mr. Ketchmark, do you have any additional -- or any evidence or argument that you wish to make with respect to the appropriate sentence?

MR. KETCHMARK: Just briefly, Your Honor. And I would note for the record, and I neglected to do so, Mr. Orrison, the victim in this matter, and his wife is here, as well as the case agents from the original case.

Your Honor, I think that in looking back at the record that the Court made at the first sentencing hearing, it is clear, at least from the government's point of view, that when the Court was arriving at the total sentence of 45 years, the Court was considering the advisory guideline range, but I think the Court even told this defendant that that's the starting spot, and that the Court then needed to go through the analysis under the 3553 factors and set forth why the Court believed the need to protect society from this individual, if he ever should be released, was a valid factor and a valid concern. In fact, the Court spent a significant amount of time

talking about calculating how old he would need to be before the other Mr. Caldwell didn't show up, the one who committed these horrific crimes.

The Court also went through, I think, a very detailed analysis of the nature and circumstances of the horrific nature of this crime. The Court also talked at length about the nature and circumstances of this individual and how he started his crime activities at a very young age, and they continued to escalate.

The Court also heard testimony in the first sentencing hearing from Special Agent Jason Ramsey with the FBI, who talked about the confession that this defendant made where he admitted the criminal activity that he engaged in in Kentucky and Indiana and that it was just all a continuation from what started here in Missouri, and that was uncontested testimony. There was no questioning on cross-examination. So by his very own admissions to the FBI, this is an individual who has engaged in criminal conduct, and it's been escalating ever since he was certified for the crimes he committed when he was 16.

And I think that all of the rationale that the Court provided in arriving at that determination of 45 years was sound in the sense that I believe that -- obviously, if you recall, we were arguing for a life sentence. And I'm not here standing before you asking for a life sentence, but I'm asking

for you to impose the exact same sentence that you did before, and you imposed a sentence that totals out to 45 years to be sure that Mr. Caldwell, if he is released, is released at a time when he's not going to be likely to reoffend because no one should have to sit in a courtroom like the Orrisons here based on crimes that they've suffered at his hand.

THE COURT: Thank you. Mr. Kuchar?

MR. KUCHAR: Do you want me to stand up there?

THE COURT: Wherever you're most comfortable.

MR. KUCHAR: Judge, as I indicated earlier, I, of course, asked you on the record to consider the sentencing memorandum filed on June 24th. I'm going to make some of those comments again because we just heard some comments in support of a 45-year sentence.

Basically what I said back at our last sentencing hearing, I think it was on June 30th, I asked for a sentence on behalf of my client in the neighborhood of 22 years. Of course, you disagreed with that and imposed a sentence of -- as you know, a sentence of 45 years. The same request we're making today, that you consider the sentencing factors under 3553(a) and arrive at a sentence considerably less than both the guidelines and what you previously imposed. We would suggest a sentence of 45 years, or 540 months, would be excessive, unreasonable, and greater than necessary to satisfy the sentencing scheme of 3553(a).

Like I said last time we were here, and like Mr. Caldwell acknowledged both when he was interviewed after his arrest, at his change of plea -- frankly, from the first day that I met him, he's had no dispute, you know, of the factors concerning the offense. And I don't want to make anyone think today that by making these comments he's trying to undermine that. I am suggesting, though, that a sentence of 45 years plus the idea that he faces, you know, charges that were discussed here just now in Kentucky and Indiana -- I know he has a trial in Kentucky, so he has to deal with those -- that case also, is unreasonable, and it's pretty much the equivalent of, you know, a life sentence.

So one of the things I talked about last time, and I'm just going to -- at the risk of unnecessary redundancy here, I'm going to remind the Court that while he does, Mr. Caldwell does have a number of convictions for, you know, robbery type things out of Greene County, Missouri, it's worthwhile to point out that that was one case. That was one case, and I believe all of those events occurred within a 24-hour time frame. Now, they're serious, but they also happened over ten years ago when Mr. Caldwell was 16 years old. So I think that you can consider -- I mean, the way that the guidelines kind of went up, in large part, was because of all of these disputes about whether -- I mean, they're, obviously, not a very good thing to do, for lack of a better term. But I

think you can consider his age and how old the offense is when you apply how much relevancy you want to apply to that.

Other than that situation, he does not have any other felony convictions for crime of violences, by anyone's standards. I think the ones remaining are forgery and fleeing, which also occurred within a few weeks of each other when Mr. Caldwell was 18 years old.

So, you know, the idea that he's demonstrated an entire life of criminal activity, I would disagree with that, and I would suggest that the crimes of violence, again, were when he was 16, and that's pretty young and quite a while ago.

As far as the facts and circumstances of the case are concerned, we know all about that. We're not going to make any attempt to minimize that, except to tell you that he was under the influence of methamphetamine when the situation occurred. He did accept full and complete responsibility, and you heard about it when he was interviewed, and he continues to do that today.

I do think also a 45-year sentence -- we talked about this a little bit with the Eighth Circuit in our, you know, our opening brief -- would constitute a sentencing disparity to the extent that the average sentence for this type of offense is considerably less than 45 years.

So for all of those reasons, Judge, we're going to ask you to adopt our reasoning in our sentencing memorandum

filed on June 24th of 2016.

THE COURT: Thank you.

MR. KUCHAR: Thank you. Oh, Judge, if I could mention -- I'm sorry.

THE COURT: Sure.

MR. KUCHAR: I meant to say that I admitted Exhibits 1 and 2, the character letters. There were a number of them, and they were pretty heartfelt, and I would just ask you to reconsider those. I wanted to make sure the record is straight.

THE COURT: Yes, I have reviewed those again.

Mr. Caldwell, could you and your attorney please come to the podium here?

(So done.)

THE COURT: Sir, again, I've reviewed the sentencing transcript from the original sentencing, but I don't say that to in any way suggest you shouldn't make a statement. I just want to let you know that I do recall the statement that you made previously. But before I decide again what sentence to impose, is there anything that you wish to say?

THE DEFENDANT: Well, yes. Your Honor, I just want you to know that Mr. Ketchmark really, I mean, he hit it on the nose. Since day one, I've accepted responsibility. And I know my case is --

MR. KUCHAR: You meant Mr. Kuchar.

THE DEFENDANT: Well, no, Ketchmark because he said that I did --

MR. KUCHAR: I'm sorry.

THE DEFENDANT: -- confess to my crimes. And I did ever since. I mean, I accepted the plea, I didn't go to trial, and I still get 45 years. And it kind of confused me. Actually, Miss Phillips, on June 30th I almost gave up. You know, I'm not looking for sympathy. I know what I did, and I'm fully remorseful to Mr. Orrison, and I'm sorry to your wife. I'm sorry. I mean, I know what I did was wrong, and it is.

But, Your Honor, I remember you told me you didn't have a glass ball at my sentencing, and neither do I. But I know I'm the youngest person in this courtroom today, and in 45 years, I wonder if anybody else in this courtroom will be living besides me.

And that's a long time, Your Honor, and I really do want to change and be rehabilitated and maybe take the Challenge Program or certain programs that I've seen that BOP offers, and maybe one day I can become a better man. But Miss Phillips, what's left of me after 45 years? But I know you have a job to consider. I know you do.

I know you have people sit on the stand, and you probably look at individuals like me every day. But today was the first time that Mr. Kuchar has ever offered an excuse for my crimes. He used methamphetamine today, and that's not

mentioned in my first transcripts. I never once mentioned an excuse for my crimes. I stood up here, and I took full responsibility. And I have.

And no leniency is deserved, and I understand that. But I just ask you, is this 45 too much, Miss Phillips? And if you feel any sympathy in your heart or leniency in your heart, I ask you to have mercy on my soul and my life.

Mr. Orrison, to you and your wife, I'm sorry, and I hope you all can move on after today and we don't have to come back to Court. And that's all I have to say, Your Honor.

THE COURT: Well, sir, I have put a lot of thought into the appropriate sentence. I put a lot of thought into it at the original sentencing; and since this sentencing hearing has been reset, I've gone through the thought process again to great length.

And you mentioned that -- a suggestion that maybe I see a lot of people like you in front of me. I don't. This is a really exceptional case, and it's not exceptional in a good way. When I originally decided the sentence, I put a lot of weight into two factors, or two points. No. 1, just the heinous nature of this crime, the fact that it was very -- just depraved is the only word that I can come close enough to fit.

And the fact that you were on methamphetamine really doesn't play one way or the other into that fact. The fact that, you know, maybe meth would cause you to do this, it's not

a factor to your benefit or against you because meth is always going to be available. And so if I do release you at a time in less than 45 years, there's still going to be some substance out there that could cause you to commit a similar act if it was the meth that caused you to do it. I question that because of the second factor that I put a lot of weight on in deciding this sentence, and that was the robbery spree that you went through in Springfield.

And I've concluded that I would have come to a conclusion that a 45-year sentence is appropriate, regardless of how many points you received for that crime spree, regardless of whether or not robbery in the second degree is a crime of violence under either the residual clause or the force clause because the incident back in 2006, as I said before, set the stage. And then when you go out and commit this crime, I do see it as a pattern and I see it as getting worse.

The facts are that with at least five different individuals within a 12-hour period, you and your defendants pointed guns at individuals and stole money, cell phones, keys, and the like. I don't care if the Eighth Circuit or the Supreme Court or any other entity gives these a title of crimes of violence. They are. They're violent. And you have not yet killed someone, but every incident that I've seen from 2006 to this crime tells me that you've come that close to actually killing someone.

And so when I look at your history and characteristics and the nature and circumstances of this offense, and I do so for a second time, I come to the same conclusion. I just don't believe that I would be doing my job to protect the community if I sentence you to anything less than 45 years. I recognize how you see this as unfair because you accepted responsibility, and this is one of the rare circumstances where in federal court accepting responsibility is not necessarily going to result in a lower sentence. I just truly believe that the threat to the community is too great to take that risk.

So for that reason, the original sentence will be in place: 465 months on Count One and Two, 300 months on Count Three, 120 months on Count Five. Those will run concurrent to the 84-month sentence on Count 54 -- or excuse me, on Count Four, for a total sentence of 540 months.

When you're released from the custody of the Bureau of Prisons, I'm going to place you on supervised release, again, for a period of ten years. The conditions of supervised release that we already discussed were on Page 21, Paragraph 79. Mr. Caldwell, do you have any questions about those conditions?

THE DEFENDANT: No, ma'am.

THE COURT: Again, a special assessment in the amount of $500 will be imposed.

Mr. Ketchmark, should the judgment contain any other information?

MR. KETCHMARK: Not that I can think of, Your Honor.

THE COURT: Mr. Kuchar, is there any request regarding placement or otherwise?

MR. KUCHAR: Not at the moment, Judge.

THE COURT: Sir, you -- yes?

PROBATION OFFICER: I'm not sure. Did you mention 465 months on the counts? I think it's -- is it 456 months on Counts One and Two?

THE COURT: I must have written it down wrong. Yes. 456 months on Counts One and Two. Yes. Thank you.

PROBATION OFFICER: And total supervised release is five years?

THE COURT: Five years?

COURTROOM DEPUTY: It's on the other page, Your Honor.

THE COURT: Oh, yeah, five years. I should have read the judgment. That's one document I didn't read.

So, yes, it's, again, a total sentence of 540 months. The sentence will be 456 months on Counts One and Two, 300 months on Count Three, 120 months on Count Five. Those to run concurrent to one another and consecutive to the sentence of 84 months on Count Four. Supervised release will be for a period of five years.

Any other record that needs to be made?

Sir, you again have the right to appeal this sentence, but in order to do so, you have to file a notice of appeal within 14 days of the date of the judgment in this case. If you do not file a notice of appeal within 14 days, then you will forever lose your right to appeal the sentence. Do you understand that?

THE DEFENDANT: Yes.

THE COURT: If you choose to appeal, Mr. Kuchar can file the notice of appeal or the Clerk of Court can file the notice of appeal.

Mr. Ketchmark, is there anything further on the part of the government?

MR. KETCHMARK: No, Your Honor.

THE COURT: Mr. Kuchar, anything on behalf of Mr. Caldwell?

MR. KUCHAR: No, Your Honor.

THE COURT: Mr. Caldwell, good luck.

(Hearing adjourned.)

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CERTIFICATE

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

April 13, 2017

/s/_____
Kathleen M. Wirt, RDR, CRR
U.S. Court Reporter